



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-1093/P1  
EVM&TJD:kjf:jf

DOA:.....Mette, BB0343 – Intensive supervision program

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT** ...; **relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, DOT administers a pretrial intoxicated driver intervention grant program. Under the program, DOT awards grants to cities, villages, towns, counties, or private nonprofit organizations to administer local pretrial intoxicated driver intervention programs that, prior to the sentencing of a defendant for operating while intoxicated, do all of the following: 1) identify the defendant and notify him or her of the availability and cost of the program and that, if the defendant is convicted, a court will consider the defendant's participation in the program when imposing a sentence; 2) monitor the defendant's use of intoxicants to reduce the incidence of abuse; 3) treat the defendant's abuse of intoxicants to reduce the incidence of abuse; 4) report to the court on the defendant's participation in the program; and 5) require program participants to pay a reasonable fee to participate in the program.

Under this bill, administration of the pretrial intoxicated driver intervention grant program is transferred to DHS.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 20.395 (5) (jr) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 2.** 20.435 (5) (bc) of the statutes is amended to read:

20.435 (5) (bc) *Grants for community programs.* The amounts in the schedule for grants for and contracts to establish community programs under s. 46.48, for pretrial intoxicated driver intervention grants under s. 51.49, and for opioid treatment programs under s. 51.422. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Except for amounts authorized to be carried forward under s. 46.48 and as otherwise provided in this paragraph, all funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department shall transfer from this appropriation account to the appropriation account for the department of children and families under s. 20.437 (2) (dz) funds allocated by the department under s. 46.48 (30) but unexpended on June 30 of each year.

\*\*\*\*NOTE: I did not see any existing language in the DHS mental health program appropriations that would allow these grants to be made at all. Therefore, I have added language to one of the DHS appropriations to allow the payment of the grants.

**SECTION 3.** 85.53 of the statutes is renumbered 51.49, and 51.49 (3), as renumbered, is amended to read:

51.49 (3) ~~Grants under this section shall be paid from the appropriation under s. 20.395 (5) (jr).~~ The amount of a grant under this section may not exceed 80% of the amount expended by an eligible applicant for services related to the program.

**SECTION 4.** 346.65 (2m) (b) of the statutes is amended to read:

346.65 **(2m)** (b) The court shall consider a report submitted under s. ~~85.53~~  
51.49 (2) (d) when imposing a sentence under sub. (2), (2q), or (3m).

**(END)**